

PATENT



Kim Arnold-Cabello, Commissioner of Patents and Trademarks
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of:

Inventor(s): FLOYD ROSE and ANDREW C. HIATT

For (title): 3' PROTECTED NUCLEOTIDES FOR ENZYME CATALYZED
TEMPLATE-INDEPENDENT CREATION OF PHOSPHODIESTER
BONDS

1. Type of Application

This new application is for a(n):

- ☐ Original
- ☐ Design
- ☐ Divisional
- ☐ Continuation
- ☒ Continuation-in-part (CIP)

2. Benefit of Prior U.S. Application(s) (35 USC 120)

- ☒ U.S. Patent Application Serial No. 08/300,484
filed September 1, 1995

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed there are being deposited with the United States Postal Service on this date, June 7, 1995, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number TB 653452217 US addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

KIM ARNOLD-CABELLO

(Type or print person mailing paper)

K.A. Cabello

(Signature of person mailing paper)

3. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Regular) or 37 CFR 1.153 (Design) Application

- 69 Pages of Specification
- 2 Pages of Claims
- 1 Pages of Abstract
- ___ Sheets of drawing
 - ___ formal
 - ___ informal
 - ___ in triplicate

4. Additional papers enclosed

- ___ Preliminary Amendment
- ___ Information Disclosure Statement
- ___ Form PTO-1449
- ___ Citations
- ___ Declaration of Biological Deposit
- ___ Authorization of Attorney(s) to Accept and Follow Instructions from Representative
- ___ Special Comments
- X Other
VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL
ENTITY STATUS

5. Declaration or oath

- X Enclosed
- executed by (check all applicable boxes)
 - X inventor(s).
 - ___ legal representative of inventor(s). 37 CFR 1.42 or 1.43
 - ___ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.

☐ this is the petition by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached. See item 13 below for fee.

☐ Not enclosed.

☐ Application is made by a person authorized under 37 CFR 1.41(c) on behalf of all the above-named inventor(s). The declaration and oath, along with the surcharge required by 37 CFR 1.16(e) will be filed subsequently.

6. Inventorship Statement

The inventorship for all the claims in this application are:

☒ the same

or

☐ not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,

☐ is submitted.

☐ will be submitted.

7. Language

☒ English

☐ non-English

☐ the attached translation is a verified translation. 37 CFR 1.52(d).

8. Assignment

☒ An assignment of the invention to ROSE HIATT BIOTECHNOLOGY PARTNERSHIP

☒ is attached.

☐ will follow.

Kindly record this assignment. The recordal fee is submitted herewith.

9. Certified Copy

Certified copy(ies) of application(s)

(country)	(appln. no.)	(filed)
(country)	(appln. no.)	(filed)
(country)	(appln. no.)	(filed)

from which priority is claimed

___ is(are) attached

___ will follow.

10. Fee Calculation

A. ___ Regular Application

CLAIMS AS FILED						Basic Fee	
Number Filed		Number Extra		Rate		\$730.00	
Total							
Claims	6 - 20 = 0	X	\$ 22.00	\$ 0.00			
Independent							
Claims	2 - 3 = 0	X	\$ 76.00	\$ 0.00			
Multiple dependent claim(s), if any				\$240.00	\$ 0.00		

___ Amendment cancelling extra claims enclosed.

___ Amendment deleting multiple dependencies enclosed.

___ Fee for extra claims is not being paid at this time.

Filing Fee Calculation \$ 730.00

B. ___ Design Application
(\$280.00 - 37 CFR 1.16(f))

Filing Fee Calculation \$ _____

11. Small Entity Statement(s)

☒ Verified Statement(s) that this is a filing by a small entity under 37 CFR 1.9 and 1.27 is(are) attached.

Filing Fee Calculation (50% of A or B above) \$ 365.00

12. Request for International-Type Search (37 CFR 1.104(d))

☐ Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

13. Fee Payment Being Made At this Time

☐ Not Enclosed

☐ No filing fee is to be paid at this time. (This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently.)

☒ Enclosed \$ 405.00

☒ basic filing fee \$ 365.00

☒ recording assignment (\$40.00; 37 CFR 1.21(h)(1)) \$ 40.00

☐ petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached. (\$140.00; 37 CFR 1.47 and 1.17(h)) \$ _____

☐ for processing an application with a specification in a non-English language. (\$130.00; 37 CFR 1.52(d) and 1.17(k)) \$ _____

☐ processing and retention fee (\$130.00; 37 CFR 1.53(d) and 1.21(1)) \$ _____

☐ fee for international-type search report (\$35.00; 37 CFR 1.21(e)) \$ _____

☐ fee for petition to make application special \$ _____

Total fees enclosed \$ 405.00

14. Method of Payment of Fees

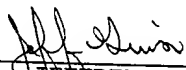
- ☒ Check in the amount of \$ 405.00
- ☐ Charge Account No. 12-2475 in the amount of \$ _____. A duplicate of this transmittal is attached.

15. Authorization to Charge Additional Fees

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 12-2475.
- ☒ 37 CFR 1.16(a) or (g) (filing fees)
- ☒ 37 CFR 1.16(b), (c) and (d) (presentation of extra claims)
- ☒ 37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- ☒ 37 CFR 1.17 (application processing fees)
- ☐ 37 CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b))

16. Instructions As To Overpayment

- ☒ credit Account No. 12-2475.
- ☐ refund



JEFFREY W. GUISE
Reg. No. 34,613

LYON & LYON
533 West Fifth Street
47th Floor
Los Angeles, California 90071
Tel. No. (213) 489-1600